United Nations A/CONF.226/PC.2/2

General Assembly

Distr.: General
16 January 2015

Original: English

Preparatory Committee for the United Nations Conference on Housing and Sustainable Urban Development (Habitat III)
Second session
Nairobi, 14–16 April 2015
Item 5 (a) of the provisional agenda*
Organizational matters: provisional rules of procedure of the Conference

Draft provisional rules of procedure of the United Nations Conference on Housing and Sustainable Urban Development (Habitat III)

Note by the secretariat

1. The General Assembly, in its resolution 66/207, decided to hold the United Nations Conference on Housing and Sustainable Urban Development (Habitat III) in 2016.

2. The draft provisional rules of procedure of the Conference are set out in the annex to the present note. They have been prepared on the basis of the provisional rules of procedure of the second United Nations Conference on Human Settlements (Habitat II) (A/CONF.165/2), the draft provisional rules of procedure of the Third World Conference on Disaster Risk Reduction (A/CONF.224/PC(I)/3), the provisional rules of procedure on the United Nations Conference on Sustainable Development (A/CONF.216/2) and the rules of procedure of the third International Conference on Small Island Developing States (A/CONF.223/2).

* A/CONF.226/PC.2/1.

K1500376 170215

Annex

Draft provisional rules of procedure of the United Nations Conference on Housing and Sustainable Urban Development (Habitat III)

I. Representation and credentials

Rule 1
Composition of delegations

The delegation of each State participating in the Conference and that of the European Union shall consist of a head of delegation and such other representatives, alternate representatives and advisers as may be required.

Rule 2
Alternates and advisers

The head of delegation may designate an alternate representative or an adviser to act as a representative.

Rule 3
Submission of credentials

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the secretariat of the Conference, if possible not less than one week before the date fixed for the opening of the Conference. The credentials shall be issued either by the Head of State or Government or by the Minister for Foreign Affairs or, in the case of the European Union, by the President of the European Commission.

Rule 4
Credentials Committee

A Credentials Committee of nine members shall be appointed at the beginning of the Conference. Its composition shall be based on that of the Credentials Committee of the General Assembly of the United Nations at its seventieth session. It shall examine the credentials of representatives and report to the Conference without delay.

Rule 5
Provisional participation in the Conference

Pending a decision of the Conference upon their credentials, representatives shall be entitled to participate provisionally in the Conference.

II. Officers

Rule 6
Elections

The Conference shall elect from among the representatives of participating States the following officers: a President, [ ] Vice-Presidents[†] and an ex officio Vice-President from the host country, a Rapporteur-General, and the Chair of the Main Committee established in accordance with rule 46. These officials shall be elected on the basis of ensuring the representative character of the General Committee, the composition of which shall be in accordance with rule 11. The Conference may also elect such other officers as it deems necessary for the performance of its functions.

[†] [ ] from each of the following groups: African States; Asia-Pacific States; Eastern European States; Latin American and Caribbean States; and Western European and other States.

Rule 7
General powers of the President

1. In addition to exercising the powers conferred upon him/her elsewhere by these rules, the President shall preside at the plenary meetings of the Conference, declare the opening and closing of each meeting, direct the discussions, ensure observance of these rules, accord the right to speak, put questions to the vote and announce decisions. The President shall rule on points of order and, subject to these rules, shall have complete control of the proceedings and over the maintenance of order thereat. The President may propose to the Conference the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times the representative of each participant in the Conference may speak on a question, the adjournment or the closure of the debate and the suspension or the adjournment of a meeting.

2. The President, in the exercise of his/her functions, remains under the authority of the Conference.

Rule 8
Acting President

1. If the President is absent from a meeting or any part thereof, he/she shall designate one of the Vice-Presidents to take his/her place.

2. A Vice-President acting as President shall have the same powers and duties as the President.

Rule 9
Replacement of the President

If the President is unable to perform his/her functions, a new President shall be elected.

Rule 10
Voting rights of the President

The President, or a Vice-President acting as President, shall not vote, but shall appoint another member of his/her delegation to vote in his/her place.

III. General Committee

Rule 11
Composition

The President, the Vice-Presidents, the Rapporteur-General and the Chair of the Main Committee shall constitute the General Committee. The President or, in his/her absence, one of the Vice-Presidents designated by him/her, shall serve as Chair of the General Committee. The Chair of the Credentials Committee and other Committees established by the Conference in accordance with rule 48 may participate, without the right to vote, in the General Committee.

Rule 12
Substitute members

If the President or a Vice-President of the Conference is to be absent during a meeting of the General Committee, he/she may designate a member of his/her delegation to sit and vote in the Committee. In case of absence, the Chair of a Main Committee shall designate the Vice-Chair of that Committee as his/her substitute. When serving on the General Committee, a Vice-Chair of a Main Committee shall not have the right to vote if he/she is of the same delegation as another member of the General Committee.

Rule 13
Functions

The General Committee shall assist the President in the general conduct of the business of the Conference and, subject to the decisions of the Conference, shall ensure the coordination of its work.

IV. Secretariat of the Conference

Rule 14
Duties of the Secretary-General of the Conference

1. The Secretary-General of the United Nations or his designated representative shall act in the capacity of Secretary-General of the Conference in all meetings of the Conference and its subsidiary organs.

2. The Secretary-General of the United Nations may designate a member of the secretariat to act in his place at such meetings.

3. The Secretary-General of the United Nations or his designated representative shall direct the staff required by the Conference.

Rule 15
Duties of the secretariat

The secretariat of the Conference shall, in accordance with these rules:

(a) Provide simultaneous interpretation of speeches made at meetings;

(b) Receive, translate, reproduce and circulate the documents of the Conference;

(c) Publish and circulate the official documents of the Conference;

(d) Prepare and circulate records of public meetings;

(e) Make and arrange for the keeping of sound recordings;

(f) Arrange for the custody and preservation of the documents of the Conference in the archives of the United Nations;

(g) Generally perform all other work that the Conference may require.

Rule 16
Statements by the secretariat

The Secretary-General of the United Nations, or any member of the secretariat designated for that purpose, may at any time make either oral or written statements concerning any question under consideration.

V. Opening of the Conference

Rule 17
Temporary President

The Secretary-General of the United Nations or, in his absence, any member of the secretariat designated by him for that purpose, shall open the first meeting of the Conference and preside until the Conference has elected its President.

Rule 18
Decisions concerning organization

The Conference shall, at its first meeting:

(a) Adopt its rules of procedure;

(b) Elect its officers and constitute its subsidiary organs;

(c) Adopt its agenda, the draft of which shall, until such adoption, be the provisional agenda of the Conference;

(d) Decide on the organization of its work.

VI. Conduct of business

Rule 19
Quorum

The President may declare a meeting open and permit the debate to proceed when at least one third of the representatives of the States participating in the Conference are present. The presence of representatives of a majority of the States so participating shall be required for any decision to be taken.

Rule 20
Speeches

1. No one may address the Conference without having previously obtained the permission of the President. Subject to rules 21, 22 and 25 to 27, the President shall call upon speakers in the order in which they signify their desire to speak. The secretariat shall be in charge of drawing up a list of speakers.

2. Debate shall be confined to the question before the Conference, and the President may call a speaker to order if his/her remarks are not relevant to the subject under discussion.

3. The Conference may limit the time allowed to each speaker and the number of times each participant may speak on any question. Permission to speak on a motion to set such limits shall be accorded to only two representatives in favour of and two opposing such limits, after which the motion shall be immediately put to the vote. In any event, with the consent of the Conference, the President shall limit each intervention on procedural matters to five minutes. When the debate is limited and a speaker exceeds the allotted time, the President shall call him/her to order without delay.

Rule 21
Points of order

During the discussion of any matter, a representative may at any time raise a point of order, which shall be immediately decided by the President in accordance with these rules. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the President's ruling shall stand unless overruled by a majority of the representatives present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Rule 22
Precedence

The Chair or Rapporteur of the Main Committee, or the representative of a subcommittee or working group, may be accorded precedence for the purpose of explaining the conclusions arrived at by the body concerned.

Rule 23
Closing of the list of speakers

During the course of a debate, the President may announce the list of speakers and, with the consent of the Conference, declare the list closed.

Rule 24
Right of reply

1. Notwithstanding rule 23, the President shall accord the right of reply to a representative of any State participating in the Conference or of the European Union who requests it. Any other representative may be granted the opportunity to make a reply.

2. The statements made under this rule shall normally be made at the end of the last meeting of the day, or at the conclusion of the consideration of the relevant item if that is sooner.

3. The representatives of a State or of the European Union may make no more than two statements under this rule at a given meeting on any item. The first shall be limited to five minutes and the second to three minutes; representatives shall in any event attempt to be as brief as possible.

Rule 25
Adjournment of debate

A representative of any State participating in the Conference may at any time move the adjournment of the debate on the question under discussion. In addition to the proposer of the motion, permission to speak on the motion shall be accorded only to two representatives in favour and two opposing the adjournment, after which the motion shall, subject to rule 28, be immediately put to the vote.

Rule 26
Closure of debate

A representative of any State participating in the Conference may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his/her wish to speak. Permission to speak on the motion shall be accorded to only two representatives opposing the closure, after which the motion shall, subject to rule 28, be immediately put to the vote.

Rule 27
Suspension or adjournment of the meeting

Subject to rule 38, a representative of any State participating in the Conference may at any time move the suspension or the adjournment of the meeting. No discussion on such motions shall be permitted and they shall, subject to rule 28, be immediately put to the vote.

Rule 28
Order of motions

The motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

(a) To suspend the meeting;

(b) To adjourn the meeting;

(c) To adjourn the debate on the question under discussion;

(d) To close the debate on the question under discussion.

Rule 29
Submissions of proposals and substantive amendments

Proposals and substantive amendments shall normally be submitted in writing to the secretariat of the Conference, which shall circulate copies to all delegations. Unless the Conference decides otherwise, substantive proposals shall be discussed or put to a decision no earlier than 24 hours after copies have been circulated in all languages of the Conference to all delegations. The President may, however, permit the discussion and consideration of amendments, even though these amendments have not been circulated or have only been circulated the same day.

Rule 30
Withdrawal of proposals and motions

A proposal or a motion may be withdrawn by its sponsor at any time before a decision on it has been taken, provided that it has not been amended. A proposal or a motion thus withdrawn may be reintroduced by any representative.

Rule 31
Decisions on competence

Subject to rule 28, any motion calling for a decision on the competence of the Conference to adopt a proposal submitted to it shall be put to the vote before a decision is taken on the proposal in question.

Rule 32
Reconsideration of proposals

When a proposal has been adopted or rejected, it may not be reconsidered unless the Conference, by a two-thirds majority of the representatives present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded to only two speakers opposing reconsideration, after which the motion shall be immediately put to the vote.

VII. Decision-making

Rule 33
General agreement

The Conference shall make its best endeavours to ensure that the work of the Conference is accomplished by general agreement.

Rule 34
Voting rights

Each State participating in the Conference shall have one vote.

Rule 35
Majority required

1. Subject to rule 33, decisions of the Conference on all matters of substance shall be taken by a two-thirds majority of the representatives present and voting.

2. Except as otherwise provided in these rules, decisions of the Conference on all matters of procedure shall be taken by a majority of the representatives present and voting.

3. If the question arises whether a matter is one of procedure or of substance, the President of the Conference shall rule on the question. An appeal against this ruling shall be put to the vote immediately, and the President's ruling shall stand unless overruled by a majority of the representatives present and voting.

4. If a vote is equally divided, the proposal or motion shall be regarded as rejected.

Rule 36
Meaning of the phrase "representatives present and voting"

For the purpose of these rules, the phrase "representatives present and voting" means representatives casting an affirmative or negative vote. Representatives who abstain from voting shall be regarded as not voting.

Rule 37
Method of voting

1. Except as provided in rule 44, the Conference shall normally vote by show of hands, except that a representative may request a roll-call, which shall then be taken in the English alphabetical order of the names of the States participating in the Conference, beginning with the delegation whose name is drawn by lot by the President. The name of each State shall be called in all roll-calls and its representative shall reply "yes", "no" or "abstention".

2. When the Conference votes by mechanical means, a non-recorded vote shall replace a vote by show of hands and a recorded vote shall replace a roll call. A representative may request a recorded vote, which shall, unless a representative requests otherwise, be taken without calling out the names of the States participating in the Conference.

3. The vote of each State participating in a roll-call or a recorded vote shall be inserted in any record of or report on the Conference.

Rule 38
Conduct during voting

After the President has announced the commencement of voting, no representative shall interrupt the voting except on a point of order in connection with the process of voting.

Rule 39
Explanation of vote

Representatives may make brief statements, consisting solely of explanations of vote, before the voting has commenced or after the voting has been completed. The President may limit the time to be allowed for such explanations. The representative of a State sponsoring a proposal or motion shall not speak in explanation of vote thereon, except if it has been amended.

Rule 40
Division of proposals

A representative may move that parts of a proposal be voted on separately. If a representative objects, the motion for division shall be voted upon. Permission to speak on the motion shall be accorded to only two representatives in favour of and two opposing the division. If the motion is carried, those parts of the proposal that are subsequently approved shall be put to the Conference for decision as a whole. If all operative parts of the proposal have been rejected, the proposal shall be considered to have been rejected as a whole.

Rule 41
Amendments

A proposal is considered an amendment to another proposal if it merely adds to, deletes from or revises part of that proposal. Unless specified otherwise, the word "proposal" in these rules shall be considered as including amendments.

Rule 42
Order of voting on amendments

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Conference shall vote first on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon.

Rule 43
Order of voting on proposals

1. If two or more proposals, other than amendments, relate to the same question, they shall, unless the Conference decides otherwise, be voted on in the order in which they were submitted. The Conference may, after each vote on a proposal, decide whether to vote on the next proposal.

2. Revised proposals shall be voted on in the order in which the original proposals were submitted, unless the revision substantially departs from the original proposal. In that case, the original proposal shall be considered as withdrawn and the revised proposal shall be treated as a new proposal.

3. A motion requiring that no decision be taken on a proposal shall be put to the vote before a decision is taken on the proposal in question.

Rule 44
Elections

All elections shall be held by secret ballot, unless, in the absence of any objection, the Conference decides to proceed without taking a ballot when there is an agreed candidate or slate.

Rule 45

1. When one or more elective places are to be filled at one time under the same conditions, those candidates, in a number not exceeding the number of such places, obtaining in the first ballot a majority of the votes cast and the largest number of votes, shall be elected.

2. If the number of candidates obtaining such a majority is less than the number of places to be filled, additional ballots shall be held to fill the remaining places, the voting being restricted to the candidates obtaining the largest number of votes in the previous ballot, in a number not exceeding twice the number of places remaining to be filled.

VIII. Subsidiary bodies

Rule 46
Main Committee

The Conference may establish a Main Committee and a drafting Committee, which may be set up in accordance with the practice of other United Nations conferences.

Rule 47
Representation on a Main Committee

Each State participating in the Conference and the European Union may be represented by one representative on the Main Committee established by the Conference. It may assign to the Committee such alternate representatives and advisers as may be required.

Rule 48
Other committees and working groups

1. In addition to the Main Committee referred to above, the Conference may establish such committees and working groups as it deems necessary for the performance of its functions.

2. Subject to the decision of the plenary of the Conference, the Main Committee may set up subcommittees and working groups.

Rule 49

1. The members of the committees and working groups of the Conference, referred to in rule 48, paragraph 1, shall be appointed by the President, subject to the approval of the Conference, unless the Conference decides otherwise.

2. Members of the subcommittees and working groups of committees shall be appointed by the Chair of the committee in question, subject to the approval of the committee, unless the committee decides otherwise.

Rule 50
Officers

Except as provided in rule 6 or otherwise decided, each committee, subcommittee and working group shall elect its own officers.

Rule 51
Quorum

1. The Chair of the Main Committee may declare a meeting open and permit the debate to proceed when representatives of at least one quarter of the States participating in the Conference are present. The presence of representatives of a majority of the States so participating shall be required for any decision to be taken.

2. A majority of the representatives of the General Committee or the Credentials Committee or of any committee, subcommittee or working group shall constitute a quorum provided that they are representatives of participating States.

Rule 52
Officers, conduct of business and voting

The rules contained in sections II, VI (except rule 19) and VII above shall be applicable, mutatis mutandis, to the proceedings of committees, subcommittees and working groups, except that:

(a) The Chairs of the General Committee and the Credentials Committee and the Chairs of the committees, subcommittees and working groups may exercise the right to vote, provided that they are representatives of participating States;

(b) Decisions of committees, subcommittees and working groups shall be taken by a majority of the representatives present and voting, except that the reconsideration of a proposal or an amendment shall require the majority established by rule 32.

IX. Languages and records

Rule 53
Languages of the Conference

Arabic, Chinese, English, French, Russian and Spanish shall be the languages of the Conference.

Rule 54
Interpretation

1. Speeches made in a language of the Conference shall be interpreted into other such languages.

2. A representative may speak in a language other than a language of the Conference if the delegation concerned provides for interpretation into one such language.

Rule 55
Languages of official documents

Official documents of the Conference shall be made available in the languages of the Conference.

Rule 56
Sound recordings of meetings

Sound recordings of meetings of the Conference and of the Main Committee shall be made and kept in accordance with the practice of the United Nations. Unless otherwise decided by the Conference or the Main Committee, no such recordings shall be made of any of the other meetings of the Conference.

X. Public and private meetings

Rule 57
General principles

The plenary meetings of the Conference and the meetings of any committee shall be held in public unless the body concerned decides otherwise. All decisions taken by the plenary of the Conference at a private meeting shall be announced at an early public meeting of the plenary.

Rule 58

As a general rule, meetings of other bodies of the General Committee, subcommittees or working groups shall be held in private.

Rule 59
Communiqués on private meetings

At the close of a private meeting, the presiding officers of the organ concerned may issue a communiqué through the secretariat of the Conference.

XI. Other participants and observers

Rule 60
Intergovernmental organizations and other entities that have received a standing invitation from the General Assembly to participate in the capacity of observer in the sessions and work of all international conferences convened under its auspices

Representatives designated by intergovernmental organizations and other entities that have received a standing invitation from the General Assembly to participate in the capacity of observer in the sessions and work of all international conferences convened under its auspices have the right to participate as observers, without the right to vote, in the deliberations of the Conference, the Main Committee and, as appropriate, any other committee or working group.

Rule 61
Representatives of the specialized agencies and related organizations[‡]

Representatives designated by the specialized agencies and related organizations may participate, without the right to vote, in the deliberations of the Conference, the Main Committee and, as appropriate, any other committee or working group on questions within the scope of their activities.

Rule 62
Representatives of other intergovernmental organizations

Save where otherwise specifically provided with respect to the European Union in these rules of procedure, representatives designated by other intergovernmental organizations invited to the Conference may participate as observers, without the right to vote, in the deliberations of the Conference, the Main Committee and, as appropriate, any other committee or working group on questions within the scope of their activities.

Rule 63
Representatives of interested United Nations organs

Representatives designated by interested organs of the United Nations may participate as observers, without the right to vote, in the deliberations of the Conference, the Main Committee and, as appropriate, any other committee or working group on questions within the scope of their activities.

Rule 64
Representatives of local authorities

Representatives of local authorities accredited to the Conference may participate, without the right to vote, in the deliberations of the Conference, the Main Committee and, as appropriate, any other committee or working group, on questions within the scope of their activities.

Rule 65
Representatives of non-governmental organizations[§]

1. Non-governmental organizations accredited to participate in the Conference may designate representatives to attend public meetings of the Conference and the Main Committee as observers.

2. Upon the invitation of the presiding officer of the body concerned and subject to the approval of the Conference, such observers may make oral statements on questions in which they have special competence. If the number of requests to speak is too large, the non-governmental organizations shall be requested to form themselves into constituencies, such constituencies to speak through spokespersons.

Rule 66
Associate members of regional commissions[**]

Representatives designated by the associate members of regional commissions listed in the relevant footnote below may participate as observers, without the right to vote, in the deliberations of the Conference, the Main Committee and, as appropriate, any other committee or working group.

[‡] For the purpose of these rules, the term "related organizations" includes the International Atomic Energy Agency, the International Criminal Court, the International Seabed Authority, the International Tribunal for the Law of the Sea, the Organization for the Prohibition of Chemical Weapons, the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and the World Trade Organization.

[§] To define "major groups".

[**] American Samoa, Anguilla, Aruba, Bermuda, British Virgin Islands, Cayman Islands, Commonwealth of the Northern Mariana Islands, Curaçao, French Polynesia, Guadeloupe, Guam, Martinique, Montserrat, New Caledonia, Puerto Rico, Sint Maarten, Turks and Caicos Islands and United States Virgin Islands.

Rule 67
Written statements

Written statements submitted by the designated representatives referred to in rules 60 to 66 shall be circulated by the secretariat to all delegations in the quantities and in the language in which the statements are made available to it at the site of the Conference, provided that a statement submitted on behalf of a non-governmental organization is related to the work of the Conference and is on a subject in which the organization has a special competence. Written statements shall not be made available at the expense of the United Nations and shall not be issued as official documents.

XII. Amendment and suspension of the rules of procedure

Rule 68
Method of amendment

These rules of procedure may be amended by a decision of the Conference taken by a two-thirds majority of the representatives present and voting, after the General Committee has reported on the proposed amendment.

Rule 69
Method of suspension

Any of these rules may be suspended by the Conference provided that 24 hours' notice of the proposal for the suspension has been given, which may be waived if no representative objects. Any such suspension shall be limited to a specific and stated purpose and to a period required to achieve that purpose.